

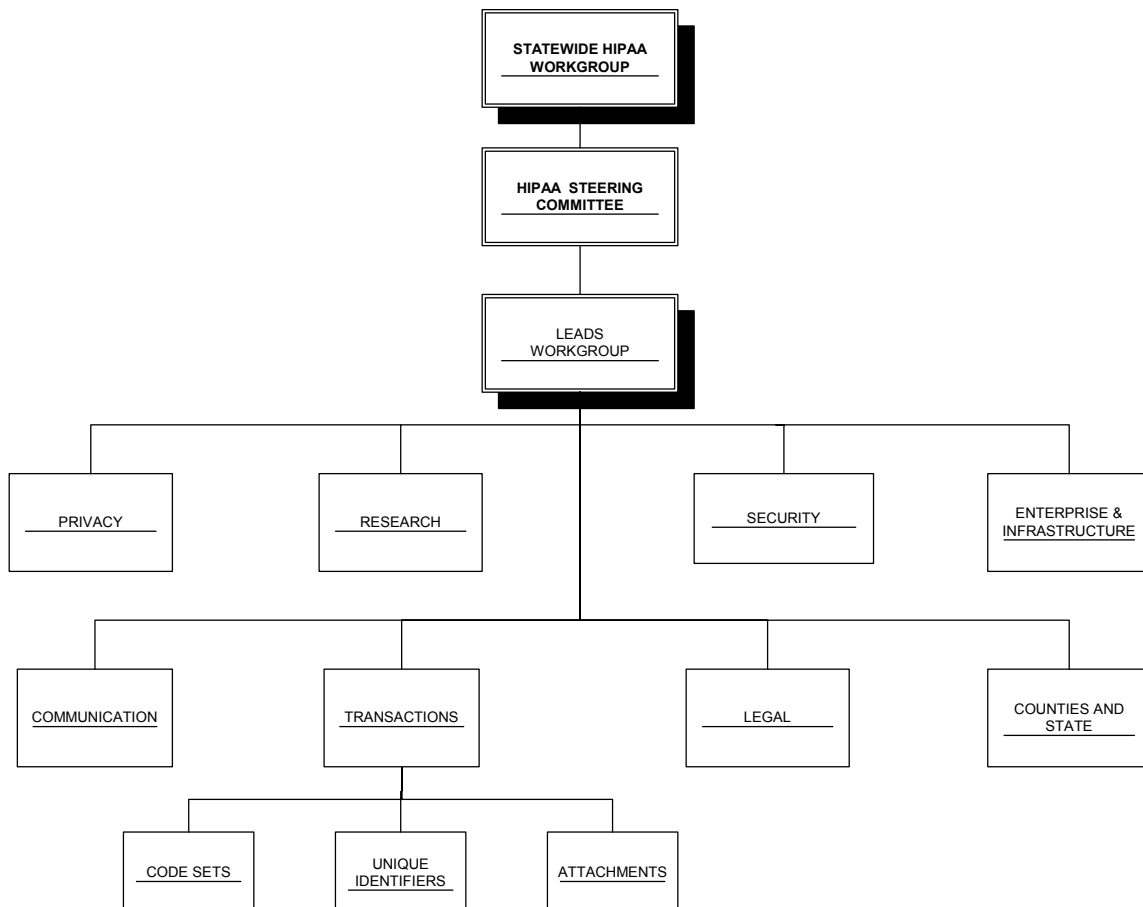
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STATEWIDE HIPAA WORKGROUP STRUCTURE

The Statewide HIPAA Workgroup is being restructured to increase impacted departmental participation in the Sub-Workgroups and to provide a forum to enhance collaboration and intra-entity relationships between impacted departments and counties. The structure takes into consideration the impact of HIPAA on the counties, the relationship of the counties to the State departments and the important role-played by the counties in the implementation process. A new HIPAA Steering Committee is being formed and the current Statewide Workgroup will meet quarterly, rather than every 3 weeks. The Sub-Workgroups have been restructured to be more issue specific with the creation of several new groups.



STATEWIDE WORKGROUP

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The Statewide Workgroup will continue to remain open to any interested parties, including members from the Sub-Workgroups, the impacted departments, the counties, and vendors. This group will meet quarterly, depending on the need. It will be used for updating on the status of HIPAA, hot topics, key department presentations, county presentations, reports from national conferences, HIPAA specific speakers, updates on finalized Sub-Workgroup products, best practices, etc.

HIPAA STEERING COMMITTEE

MEMBERSHIP / FUNCTIONS

The assessment indicated that approximately 23 different State departments are impacted by the HIPAA rules. A Steering Committee is being formed to:

- ❖ Provide a centralized forum for these departments to share relevant departmental issues and progress and to keep abreast with the latest developments from the Sub-Workgroups. A representative from each of these departments will be invited to be on the Committee.
- ❖ Provide a forum for counties to interact with the departments. County representatives will include the three co-chairs of the Counties and State Leads Sub-Workgroup. In addition, four other County representatives will be designated by the Counties Sub-Workgroup to encompass the program areas impacted by HIPAA (e.g. mental health, welfare, drug and alcohol, and public health).
- ❖ Provide a forum to raise issues from the Sub-Workgroups. The Leads from each of the Sub-Workgroups will be representatives on the Steering Committee.
- ❖ Provide a forum for CalOHI to obtain impacted department and county input on proposed policies, information memos, etc.

The HIPAA Steering Committee will meet monthly on the 4th Monday of the month in the afternoon from 1:30 to 3:30. It will be chaired and facilitated by representatives from two departments and one representative from CalOHI. The Steering Committee's functions include:

- ❖ Identifying issues and sharing resolutions on intradepartmental and State-county issues.
- ❖ Reviewing and providing recommendations on issues from the Sub-Workgroups.
- ❖ Coordinating overlapping issues between Sub-Workgroups.
- ❖ Promoting participation by State department representatives in the Sub-Workgroups.

- ❖ Providing a broad view analysis of and recommendations on proposed products for CalOHI.

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ISSUE SUB-WORKGROUPS

Currently, the following Sub-Workgroups exist:

- ❖ County-State HIPAA Issues
- ❖ Transactions & Code Sets
 - Unique Identifiers
- ❖ Privacy, Confidentiality and Security/Legal
- ❖ Communications
- ❖ Leads Workgroups

The new Sub-Workgroups will be:

- ❖ Privacy
- ❖ Research
- ❖ Security
- ❖ Infrastructure
- ❖ Communications
- ❖ Transactions that will include:
 - Code Sets
 - Data Elements
 - Unique Identifiers
 - Attachments
- ❖ Legal
- ❖ County-State HIPAA

Sub-Workgroup Purpose

Privacy Sub-Workgroup

The purpose of the Privacy Sub-Workgroup, is to understand and interpret the HIPAA Privacy standards for affected State, county and local government organizations; recommend standards, policies and guidelines to meet HIPAA requirements, encourage the participation and involvement of every affected State, county and local government entity; promote and enable an infrastructure of HIPAA-compliant privacy policies, guidelines, organizational structures and computer-enabled approaches; and make recommendations on the issues. This Sub-Workgroup is an open forum for issue identification; it will analyze issues, make decisions and forward recommendations to Office of HIPAA Implementation (OHI).

Research Sub-Workgroup

This Sub-Workgroup will be looking into the HIPAA privacy and security restrictions placed on research and its relationship with the Institutional Review Board (IRB) and its rules. This group was separated from Privacy as it is expected that researchers will have issues with other Federal rules and their implementation beyond Privacy.

Security Sub-Workgroup

The security issues were separated from the privacy issues, as the final Security rules are shortly to be issued by Federal Department of Health and Human Services (DHHS). When these rules are issued, work will need to be completed to identify and develop those security measures required to secure and protect state entity-held individually identifiable health information that is impacted by the HIPAA rules.

Infrastructure Sub-Workgroup

This Sub-Workgroup will be developing processes that would be cost-effective if collaboratively done with more than one department, rather than individually. These may include analysis of encryption compression processes, platforms for testing, telecommunications and software tools, translators and/or clearinghouses. The Sub-Workgroup will review these tools for potential statewide enterprise applicability.

Communications Sub-Workgroup

The purpose of the Communications Sub-Workgroup is to ensure appropriate and timely communication of guidelines, procedures and information between interested entities.

Transactions Sub-Workgroup

The Transactions Sub-Workgroup has the following task groups: Transactions, Code Sets, Unique Identifiers and Attachments. This Sub-Workgroup, will be responsible to:

- ❖ Provide a forum for information exchange for State operating departments, Counties, and other related agencies regarding Transactions, Data Content, Unique Identifiers and Attachments, mandated by HIPAA.
- ❖ To identify, track and resolve issues resulting from the implementation of mandated HIPAA standard transactions and code sets.
- ❖ To identify data, policies, and procedures that will change because of the implementation of HIPAA-mandated transactions, when the change will affect more than a single State department.
- ❖ To make recommendations regarding Transactions and Data Content implementation to the Office of HIPAA Implementation, State department and oversight agencies, as appropriate.
- ❖ Ensure each business unit is represented and participates in the impact assessment of required HIPAA changes. The team is responsible for interpreting the conversion requirement for unique identifiers (provider, employer, and health plan) and helping ensure changes are made uniformly throughout the departments.
- ❖ Evaluate translators and clearinghouses to include reviewing these tools for potential statewide enterprise applicability.

**Legal Sub-Workgroup**

This Sub-Workgroup is currently working on a matrix of state confidentiality and privacy laws and their relationship to federal laws including HIPAA. This matrix will indicate where California may need to make preemption requests from DHHS. This group was separated from Privacy because it is likely that statewide legal issues will arise from other Federal HIPAA rules.

County-State Sub-Workgroup

The County-State Sub-Workgroup, will be responsible to:

- ❖ Serve as a forum for California counties to discuss HIPAA compliance issues that involve coordination with State departments or that impact State reporting or regulatory compliance,
- ❖ Provide a means for California counties to reach consensus on issues where a consistent response across counties will better serve to influence the State, Federal government, or standards setting organizations to consider California county issues,
- ❖ Consolidate similar issues submitted by California counties for discussion by the County Issues Workgroup or for forwarding to other, more appropriate, workgroups as necessary.
- ❖ Forward issues to the State for consideration, and through the State, to the Federal government, as appropriate.
- ❖ Distribute information that may be helpful to counties working on HIPAA compliance.

In addition, this Sub-Workgroup should develop a structure with other county participants to bring back to this workgroup the issues being discussed in the other workgroups. This will enhance all counties' understanding and awareness of the issues, templates and processes being developed and finalized in the other Sub-workgroups. Information of this nature can also be provided to this workgroup from the county representatives on the Steering Committee.

NOTE: See Attachments

- ❖ List of Workgroups Steering Committee members.

Draft**Leads for Workgroups:****HIPAA Statewide Workgroup**

Joint Leads: Judy Gelein, Department of Health Services
 Ken McKinstry, Department of Mental Health
 Therese Hart, California Office of HIPAA Implementation

HIPAA Steering Committee

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Workgroups Leads

Leads: The Leads of all Sub-Workgroups will participate.

Sub-Workgroups Leads

	Leads
Privacy:	Cynthia Paes, Tuolumne County David Nelson, Yolo County
Research:	Kathy Styc, DMH
Security:	Art Mark, HHSDC
Enterprise & Infrastructure:	Debra Reiger, HHSDC
Communications:	Elaine Scordakis, CalOHI Terrie Williams, CalOHI
Transactions and Data Content:	Sue Boucher, DDS Ginger Cox, OSPD
Legal: Pre-emption	Stephen Stuart, CalOHI David Smith, San Diego County Cheri Huber, Napa County
Counties and State:	Steven Marshall, Sutter County Terry Hogan, San Diego County David Smith, San Diego County Four – County Subject Matter Experts